

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

VICTOR C. BERRY : CIVIL ACTION
v. :
MR. VARANO, et al : NO. 11-6585

ORDER

AND NOW, this 22nd day of October, 2013, upon consideration of the Petition for Writ of Habeas Corpus (Document No. 1), the Respondents' Answer to Petition for Writ of Habeas Corpus (Document No. 8), the Report and Recommendation filed by United States Magistrate Judge David R. Strawbridge (Document No. 18), the petitioner's objections to the Report and Recommendation (Document No. 24), and after a thorough and independent review of the record, it is ORDERED that:

1. The petitioner's objections are OVERRULED;
2. The Report and Recommendation of Magistrate Judge Strawbridge is

APPROVED and ADOPTED;

3. The Petition for Writ of Habeas Corpus is DENIED; and,
4. There is no probable cause to issue a certificate of appealability.

/s/Timothy J. Savage
TIMOTHY J. SAVAGE, J.